| JHN-66-2666 17 | · NO CHBUI | LHW IP GROUP | | 3/8 6/0 6 | 8027 P.02 |
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| Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent | | | | Docket No. 97078CIPDIV1 | |
| In Re Application | Of: Johnson et al. | | • | | |
| Application No. 09/752,227 | Filing Date December 29, 2000 | Examiner C. Shosho | Customer No. | Group Art Unit 1714 | Confirmation No. 5132 |
| Invention: MOI | DIFIED PIGMENTS E | IAVING IMPROVED DISP | ersing proper | RTIES | |
| Owner of Record | : Cabot Corporation | | | | |
| 4- 000 € | - | COMMISSIONER FOR | PATENTS: | | |
| provided below, the the expiration date disclaimer, of prior be enforceable on | e terminal part of the state of the full statutory to Patent No. 6,478,860 to for and during such to the state of the for and during such to the state of the sta | cord of a 100.0 percent intatutory term of any patent gramm defined in 35 U.S.C. 1543. The owner hereby agree period that it and the prior pand is binding upon the granted | nted on the instant to 156 and 173, a s that any patent so tent are commonly | application, which as presently shorted orgranted on the in- owned. This agree | would extend beyond ened by any termina stant application sha |
| application that wo patent, as present held unenforceable under 37 C.F.R. 1. | uld extend to the expirally shortened by any tense, is found invalid by a 321, has all claims car | , the owner does not disclaintion date of the full statutory to minal disclaimer, in the event court of competent jurisdiction acelled by a reexamination ce resently shortened by any terr | erm as defined in 39 that it later expires n, is statutorily discl rtificate, is reissued | 5 U.S.C. 154 to 15 for failure to pay taimed in whole or | 6 and 173 of the prio a maintenance fee, i terminally disclaime |
| Check eit | her box 1 or 2 below, if | appropriate. | | | |
| 1. For submundersigned is em | issions on behalf of a powered to act on beha | n organization (e.g., corporatell for the organization. | ion, partnership, ur | niversity, governme | ant agency, etc.), the |
| I hereby | declare that all states | nents made herein of my or | vn knowledge are | true and that all | statements made o |

information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record.

January 6, 2006

Michelle B. Lando

Typed or Printed Name

Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. The Commissioner is hereby authorized to charge the PTO suggested wording for terminal disclaimer was unchanged, terminal disclaimer fee of \$130.00 to Deposit Account No. 03-0060 of Cabot.

Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent Docket No. 97078CIPDIV1

In Re Application Of: Johnson et al.

DUPLICATE

Application No. Filing Date Examiner Customer No. Group Art Unit Confirmation No. 09/752,227 December 29, 2000 C. Shosho 1714 5132

Invention: MODIFIED PIGMENTS HAVING IMPROVED DISPERSING PROPERTIES

Owner of Record: Cabot Corporation

COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100.0 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,478,863. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

Michelle B. Lordon

Dated: January 6, 2006

Michelle B. Lando

Typed or Printed Name

Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. The Commissioner is hereby authorized to charge the PTO suggested wording for terminal disclaimer was unchanged. Account No. 03-0060 of Cabot. Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.

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